

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes February 3, 2011

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on February 3, 2011.

MEMBERS PRESENT

Edward Mercer, Chairman
Tracy J. Watwood, Police Officer
Daniel Triplett, Private Investigator
Mary Pedersen, Citizen at Large
Nicole H. Pang, Representing Attorney General
John L. Logdon, Private Investigator
Sheriff Kathryn H. Whitt

OCCUPATIONS & PROFESSIONS STAFF

David Garr, Deputy Executive Director
Adriana Lang, Board Administrator

OTHERS PRESENT

Angela Evans, Board Counsel

CALL TO ORDER

The Chairman, Mr. Mercer, called the meeting to order at 1:00 p.m.

APPROVAL OF MINUTES

The minutes of January 6, 2011 regular meeting was called to the attention of the members. A motion was made by Mr. Logdon to approve the minutes, as presented. The motion, seconded by Mr. Triplett, carried unanimously.

FINANCIAL STATEMENTS

The Board reviewed the Financial Statement for the period ending December 31, 2010. Mr. Logdon made a motion for Ms. Evans to obtain clarification on the Attorney General's charges and bring a report to the next scheduled meeting. The motion, seconded by Mr. Watwood, carried unanimously.

The Board reviewed the Financial Statement for the period ending January 31, 2011. A motion was made by Ms. Pedersen to approve the Financial Statement as presented. The motion, seconded by Mr. Triplett, carried unanimously.

LICENSURE STATUS REPORT

The Board reviewed the Licensure Status Report as of February 3, 2011.

DIRECTOR'S REPORT

Mr. Garr provided the following report:

- 1) Governor Steven Beshear appointed Shannon Tivitt as the new Executive Director for the Office of Occupations and Professions. He explained that Ms. Tivitt was not able to attend today's meeting due to another meeting she is attending at Capitol.
- 2) The Proprietary Education Board is being audited. Based on the auditor's requests he recommended that all Boards should have a) a well defined platform procedures b) a manual training, in case an audit occurs.

DIRECTOR'S REPORT CONTINUED

3) A fiscal error occurred which caused delays on payments to Board members who requested their reimbursements to be submitted electronically. He apologized for the delay and stated that he would personally get all pending travel reimbursements approved by the next two business days.

ATTORNEY'S REPORT/ LEGAL MATTERS

Ms. Evans provided the following report:

1) 240 Rule and 201 KAR 41:100- There were no questions asked during the Administrative Regulations Review Subcommittee (ARRS) meeting. Proposed regulations will go before a second subcommittee for a final review. New regulation should be final and approved by mid March 2011. The Board discussed drafting a letter to notify all licensees of the new regulatory changes. The Board requested Ms. Evans to draft the letter and bring it to the next scheduled meeting for a full Board review.

2) Ms. Evans stated that she will bring an update on Jan Sowinki's inquiry to the next scheduled meeting.

COMPLAINT COMMITTEE REPORT

The Complaint Committee met at 10:00 a.m.

Mr. Triplett recused himself from complain t 09-004 and left the room at 10:05 a.m.

09-004- Ms. Evans stated that she spoke with the Attorney and he suggested some amendments to the cease and desist letter and he is okay with his suggestions in order to resolve the case. This case is ongoing.

10-003- Waiting for cease and desist response. Case is ongoing.

10-005- Waiting for response. Case is ongoing

Mr. Watwood made a motion to accept the Complaint Committee Report, as presented. The motion, seconded by Ms. Pang, carried unanimously.

NEW BUSINESS

The Board reviewed informational correspondence from the U.S. Department of Justice.

The Board reviewed a correspondence from the Kentucky Professional Investigators Association (KPIA) regarding their July 9, 2011 panel presentation. Sheriff Witt made a motion to authorize Mr. Mercer to attend the KPIA panel presentation representing the Kentucky Board of Licensure for Private Investigators, and to approve his travel expenses. The motion, seconded by Mr. Logdon, carried unanimously.

Mr. Logdon discussed possible activities by unlicensed individuals hired by insurance companies. Ms Evans clarified KRS329 A. 070 Section 5. The Board suggested that if anyone is aware of activities by unlicensed individuals, they should submit a complaint in writing to the Board office so the Complaint Committee can review it and make necessary recommendations to the full Board.

APPLICATION REVIEW COMMITTEE REPORT

The application Committee met at 10:00 a.m.

INDIVIDUALS APROVED WITH PROVISIONS: *William Almon, Bobby Appel, Alicia Berkitt, John Corrona, Naomi Emerson, Stephanie Hallman, Joshua Henderson, Ronald Keaton, Dennis Lynch, Jenna Parisi, William Sowders, Laura Staats and William Wright.*

A motion was made by Mr. Triplett to approve with provisions above names. The motion, seconded by Mr. Logdon, carried unanimously.

INDIVIDUALS DEFERRED: *Benjamin Miller, Robert Murray and Jenna Parasi.*

A motion was made by Ms. Pedersen to defer the above names. The motion, seconded by Mr. Logdon, carried unanimously.

COMPANIES APPROVED: *Global Options, Inc., and Kroll Background America, Inc.*

A motion was made by Mr. Triplett to defer the above companies. The motion, seconded by Mr. Logdon, carried unanimously.

COMPANY DEFERRED: *Superior Investigative Services, LLC.*

A motion was made by Mr. Triplett to defer the above companies. The motion, seconded by Sheriff Witt, carried unanimously.

TRAVEL AND PER DIEM

A motion was made by Mr. Logdon to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion, seconded by Mr. Triplett, carried unanimously.

ADJOURNMENT

The Chairman, Mr. Mercer informed the Board that the next meeting is scheduled for Thursday March 3, 2011 at 1:00 p.m., the Application Review Committee Meeting at 10.00 a.m. Having no further business to be brought before the Board, a motion was made by Ms. Pang to adjourn. Motion seconded by Mr. Watwood, carried unanimously. The meeting adjourned at 2:55 p.m.

APPROVED